

Order

Michigan Supreme Court
Lansing, Michigan

September 3, 2008

Clifford W. Taylor,
Chief Justice

137136 & (66)(67)

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

CITIZENS PROTECTING MICHIGAN'S
CONSTITUTION, LOWELL R. ULRICH,
MICHAEL BISHOP, ALAN L. CROPSEY,
VIRGIL SMITH, JR., and MIKE BRYANTON,
Plaintiffs-Appellees,

v

SC: 137136
COA: 286734

SECRETARY OF STATE and BOARD OF
STATE CANVASSERS,
Defendants-Appellees,
and

REFORM MICHIGAN GOVERNMENT NOW!,
Intervening
Defendant-Appellant.

AMENDMENT TO ORDER

On order of the Court, the order of August 28, 2008 is amended by adding thereto the following statement by Kelly, J.:

Kelly, J. I acknowledge that, pursuant to MCR 2.003(B)(5), I have an economic interest and other more than de minimis interest in the outcome of this matter. Nonetheless, I will participate under the rule of necessity. See *United States v Will*, 449 US 200 (1980).

The decisions of the other justices to participate is solely their own, based on this Courts traditional disqualification procedure. I object to this procedure and again call for the Court to revise it. See *Adair v Michigan*, 474 Mich 1027, 1051 (2006) (statement by Kelly, J.)



I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 3, 2008

Corbin R. Davis

Clerk